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MAY 13 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
CHOO, Qui-Lim	:	
Application No.: 10/580,050	:	
PCT No.: PCT/US2004/039333	:	DECISION ON
Int. Filing Date: 19 November 2004	:	
Priority Date: 19 November 2003	:	PETITION
Attorney Docket No.: PP021454.0004	:	
For: METHODS AND REAGENTS FOR	:	UNDER 37 CFR 1.181
TREATING, PREVENTING AND	:	
DIAGNOSING BUNYAVIRUS	:	
INFECTION	:	

This decision is in response to applicant's Petition Under 37 CFR 1.182 to vacate the Notification of Defective Response, filed in the United States Patent and Trademark Office on 03 February 2011. It is being treated as a petition under 37 CFR 1.181. The petition fee will be refunded.

BACKGROUND

On 19 May 2006, applicants filed a transmittal letter to the United States Designated/Elected Office. On it, applicants indicated there were 20 independent claims, with 17 over 3. Applicants authorized the Office to charge any deficiency. Office calculations found 21 independent claims, with 18 over 3.

On 28 July 2009, the Office mailed Decision On Petition vacating a holding of abandonment and indicating that a sequence listing in compliance with regulations had been submitted and entered.

On 03 February 2011, the Office mailed Notification of Defective Response (Form PCT/DO/EO/916) indicating that a sequence listing and \$220 in claim fees were required.

On 09 March 2011, applicants filed this petition to vacate the Notification of Defective Response.

On 14 March 2011, the Office mailed Notification of Acceptance (Form PCT/DO/EO/903) indicating that the application had satisfied the requirements under 35 USC 371(c)(1), (c)(2) and (c)(4) and all on 35 USC 371 on 10 August 2007.

DISCUSSION

The Notification of Defective Response, mailed 03 February 2011, issued in error and is hereby vacated. The Office is in receipt of applicants' response to the notice to comply with the sequence listing requirements and the CRF was entered. Further, applicants authorized the Office to charge any required fees with the 19 May 2006 authorization. The claim fee will be corrected to reflect the applicable fee at filing. The surplus will be returned to deposit account no. 03-1664, as authorized.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Defective Response (Form PCT/DO/EO/916) mailed 03 February 2011 is **VACATED**.

This application is being forwarded to the National Stage Processing Branch of the Office of Patent Application Processing for further processing in accordance with this decision.

/Erin P. Thomson/

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